

## PROCEDURE FOR FILING A COMPLAINT WITH THE SECURITIES DIVISION

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### OF THE ARIZONA CORPORATION COMMISSION

The Securities Division of the Arizona Corporation Commission is responsible for regulating the securities industry in the state of Arizona. One of our main functions is to oversee the firms and individuals that engage in the offer and sale of securities to the public. We also oversee the individuals and entities that provide investment advice for compensation as defined within the Arizona Investment Management Act. Please complete the attached form if you have information or complaints concerning possible violations of the Securities Act of Arizona or of the Arizona Investment Management Act.

#### **SOME TIPS ON PREPARING A WRITTEN COMPLAINT**

1. First, make a separate list of the things you want to say. Try to separate your feelings from the facts.
2. Present the events in the order in which they happened, using dates whenever possible.
3. Type or print in black ink.
4. Enclose copies of documents such as written offering memoranda or other materials, cancelled checks (front and back), purchase agreements, stock certificates, confirmations, letters, advertisements, papers, notes or other documents that may support your complaint. Keep originals for your files.
5. Remember that your complaint should describe the event or practice that you believe was a possible violation.
6. Please COMPLETE the complaint form, DETACH and return it to our office. Our ability to assist you will depend upon your giving us a complete and detailed statement including any misrepresentations made to you.

#### **MAIL OR DELIVER YOUR COMPLAINT TO THE PHOENIX OFFICE:**

Securities Division  
Arizona Corporation Commission  
1300 West Washington, 3rd Floor  
Phoenix Arizona 85007

FAX: (602) 594-7470  
E-MAIL: [accsec@ccsd.cc.state.az.us](mailto:accsec@ccsd.cc.state.az.us)  
PHONE: (602) 542-4242

Upon receipt of your complaint we will file the complaint in the records of the Arizona Corporation Commission and will consider making an inquiry into the matter. You should be aware that evaluation of your complaint might take several weeks. It is the Division's policy to conduct inquiries on a confidential basis. This is done to protect the integrity of the investigation and to protect the personal privacy of persons with respect to whom unfounded charges may be made.

This Division does not have authority to provide legal or financial advice to investors, or to represent them in connection with their personal rights. Any actions instituted by the Division with respect to alleged or purported violations are limited to remedial and enforcement actions seeking to prevent further violations. Thus, any action by the Division would not necessarily result in any monetary benefit to you. If you have

suffered monetary loss, you should consider contacting a private attorney to discuss your legal rights and remedies under the Arizona Securities Act or other statutes. If you do not have a private attorney, the County Bar Association's Lawyer Referral Service may be consulted or the local Legal Aid Society may be able to assist you.

The United States Securities and Exchange Commission (SEC) has approved certain arbitration procedures for resolution of disputes between investors and broker/dealers. Arbitration is a method of having a dispute between two or more parties resolved by an impartial person who is knowledgeable in the areas of controversy. That person is known as an arbitrator. Disputes between an investor and a broker/dealer often involve complicated issues that, in the interest of fairness, require a prompt and inexpensive means of resolution. Because of this, arbitration has long been used as an alternative to the courts. Once the arbitrator has made a decision, the decision is final and is subject to review by a court only on a very limited basis. Also, if arbitration is chosen as a means of resolving a dispute, the complaining party gives up the right to pursue the matter through the courts.

If you are interested in learning more about the arbitration process, you can contact the National Association of Securities Dealers (NASD) or the Exchange which your broker/dealer is a member. The addresses for the New York Stock Exchange and the NASD are:

New York Stock Exchange  
11 Wall Street  
New York, New York 10005  
Telephone: (212) 656-2096

Director of Arbitration  
National Association of Securities Dealers, Inc.  
10 South LaSalle Street, 20th Floor  
Chicago, IL 60603-1002  
Telephone: (312) 899-4440

This document and the complaint form are available in alternative formats by contacting Yvonne L. McFarlin, Executive Assistant to the Executive Secretary, voice phone number 602-542-3931, E-mail [ymcfarlin@cc.state.az.us](mailto:ymcfarlin@cc.state.az.us)

## COMPLAINT FORM

(PLEASE TYPE OR PRINT IN BLACK INK ONLY)

State Name and Address of FIRM or PERSON Complained Against: _____ _____ _____ ZIP: _____	State YOUR Name and Address: _____ _____ _____ ZIP: _____
Phone: _____	Home Phone: _____
Name of Stockbroker or Salesperson: _____	Business Phone: _____

Type of complaint:

- ☐ Complaint against a Company or Firm  
☐ Complaint against an individual  
☐ Other, Please specify: \_\_\_\_\_

Date of transaction: \_\_\_\_\_

Place of Transaction; specify the states in which you and the salesperson were located:  
\_\_\_\_\_

Witnesses to the transaction: \_\_\_\_\_

State the type of investment involved (e.g., stock, note, limited partnership, etc. If you are not certain, describe on last page): \_\_\_\_\_

-If you invested in stock or bonds, what was the name of the issuing corporation?  
\_\_\_\_\_

-If you invested in a note, who was the maker (company or individual) responsible for paying it?  
\_\_\_\_\_

-If you invested in a partnership, what was the name of that partnership?  
\_\_\_\_\_

Amount involved in transaction: \_\_\_\_\_

Did you sign any papers or documents? ☐ Yes ☐ No *(If Yes, please attach copies of them.)*

How did you first learn about this investment? \_\_\_\_\_  
\_\_\_\_\_

Have you complained to the Company or Firm? ☐ Yes ☐ No If yes, to whom? When? \_\_\_\_\_

What was the response? \_\_\_\_\_  
\_\_\_\_\_

May we send a copy of your complaint to the firm or individual complained against? ☐ Yes ☐ No

Does an attorney represent you in this matter? ☐ Yes ☐ No If yes, give attorney's name and address:  
\_\_\_\_\_

Explain: \_\_\_\_\_

Other governmental or regulatory agencies you have contacted: \_\_\_\_\_

Did you tape-record any of your conversations regarding the transaction? ☐ Yes ☐ No

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This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

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(IF YOU WOULD ALSO LIKE TO FILE A COMPLAINT WITH THE BETTER BUSINESS BUREAU, CALL 602 264-1721)